

# **EXHIBIT A**

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1 public to be in the courtroom, but there will be satellite  
2 courtrooms both for extra counsel, paralegals, family members,  
3 whatever. Counsel can make proposals to me about that if they  
4 wish. I think that's where we're headed, roughly 50 people in  
5 the courtroom. Any comments on that?

6 MR. FRANK: Your Honor, I think your Honor said three  
7 prosecutors at the table. There are actually four on the case.  
8 We can either squeeze or perhaps somebody can sit in the back.

9 THE COURT: I think somebody would be able to sit in  
10 the back. Prosecutors have three. Each defendant has two  
11 counsel plus the defendant. So there are going to be three  
12 people at each of the tables. That's 12.

13 MR. FRANK: And paralegals.

14 THE COURT: Paralegals may have to be in the satellite  
15 courtroom. You make a proposal to me as to how you feel the  
16 gallery ought to be handled and I'll consider it.

17 MR. FRANK: Typically, there's a paralegal operating  
18 the trial director.

19 THE COURT: Consult with one another. If you can  
12:16 20 unanimously come to me with a proposal, I will give it serious  
21 consideration. Mr. Kelly?

22 MR. KELLY: We'll do that. We'll talk to the  
23 government and see if we can't get an agreeable proposal.

24 MR. KENDALL: Your Honor, the one thing I think is  
25 related to this, the government listed a large number of agents

1 that it wanted to have present in the courtroom. We move to  
2 sequester all of the witnesses. I believe it's standard  
3 practice for the summary IRS revenue agent to be able to be in  
4 the courtroom because he's got to summarize the testimony. I,  
5 myself, may have a summary fact witness that's comparable.  
6 They can be in the satellite courtroom, otherwise we would move  
7 to have everybody sequestered.

8 THE COURT: The government has filed a motion to  
9 unsequester the case agents. Enlighten me again, Mr. Frank, as  
10 to who you have asked to not be sequestered.

11 MR. FRANK: Case agent, revenue agent, summary  
12 witnesses.

13 THE COURT: How many people is that?

14 MR. FRANK: Five people.

15 MR. KENDALL: We object. Particularly the case agent,  
16 Miss Keeting, is a particular witness, particularly if  
17 Mr. Singer is not testifying.

18 THE COURT: Are they going to be witnesses?

19 MR. FRANK: One case agent may be a witness, your  
12:18 20 Honor, yes.

21 THE COURT: Usually, prior to the testimony, the case  
22 agent is sequestered, but after the testimony they are not.  
23 Why don't you see if you can work out an agreement with counsel  
24 on that one.

25 MR. KENDALL: It sounds unlikely, but we will try.